## BEFORE THE APPEALS BOARD FOR THE KANSAS DIVISION OF WORKERS COMPENSATION

EVERETT CAMERON )	
Claimant ) VS. ) HARPER TRUCKS Respondent ) AND	Docket No. 187,074
SELF INSURED ) Insurance Carrier	
AND )	
THE KANSAS WORKERS COMPENSATION FUND	

## ORDER

Respondent appeals from a June 29, 1994, Preliminary Hearing Order by which Administrative Law Judge Shannon S. Krysl granted claimant's request for payment of outstanding medical expenses as authorized medical and ordered respondent to provide a list of three physicians within three days or else Dr. Pollock would be designated as the authorized treating physician.

## ISSUES

On appeal respondent contends the Administrative Law Judge exceeded her jurisdiction by granting benefits because the evidence does not establish that claimant suffered an accidental injury which arose out of and in the course of claimant's employment with the respondent. Respondent contends that the claimant's shoulder problems are a result of the natural aging process.

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record and considering the arguments of the parties, the Appeals Board finds claimant's current need for medical treatment is the result of a personal injury

IT IS SO OPPEDED

by accident which arose out of and in the course of claimant's employment with the respondent. This conclusion by the Appeals Board is based upon the uncontroverted medical evidence, which indicates the claimant's injury is probably work related. The Order for benefits should, therefore, be affirmed.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the June 29, 1994, Order of Administrative Law Judge Shannon S. Krysl should be, and the same is hereby, affirmed.

II IS SO ORDERED.
Dated this day of March, 1995.
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER

c: Chris Clements, Wichita, KS
Gary A. Winfrey, Wichita, KS
John Nodgaard, Wichita, KS
Shannon S. Krysl, Administrative Law Judge
George Gomez, Director